



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
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OFFICE OF  
ENVIRONMENTAL REVIEW  
AND ASSESSMENT

January 13, 2017

Jo Christensen  
Draft Coeur d'Alene Basin Restoration Plan/Draft EIS  
U.S. Forest Service  
Idaho Panhandle National Forest  
3815 Schreiber Way  
Coeur d'Alene, Idaho 83815

Dear Ms. Christensen:

The U.S. Environmental Protection Agency has reviewed the Draft Coeur d'Alene Basin Restoration Plan/Environmental Impact Statement prepared by the U.S. Forest Service and U.S. Department of the Interior on behalf of the Coeur d'Alene Basin Natural Resource Trustees (EPA Region 10 Project Number 13-0023-AFS). We conducted our review in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions.

We have assigned the DEIS a rating of EC-1 (Environmental Concerns-Adequate). Our rating was based on concerns with the historic mine waste contamination that we are working to cleanup through our Comprehensive Environmental Response, Compensation, and Liability Act program, and the stated nature of the document as an overarching plan without the specific individual project details necessary for the EPA to evaluate and comment upon under our NEPA and Clean Air Act authorities. We therefore recognize the need to coordinate closely with our CERCLA program as restoration activities are developed, selected, and implemented. A copy of the EPA rating system is enclosed. The EPA appreciates the close working relationship that we have had with the Natural Resource Trustees, and we look forward to the continued coordination of the Trustees' restoration work and the EPA's remediation efforts in the Coeur d'Alene Basin.

The DEIS describes an approach to geographically prioritize restoration and articulate a suite of broad actions intended to restore ecosystem function in targeted areas. The projects carried out under the Restoration Plan are intended to begin returning the natural resources to their baseline conditions, prior to the release of hazardous mining wastes. Three (3) action alternatives were considered. Under Alternative 1, there would be no action taken to restore the natural resources previously impacted by the release of mine waste contamination in the Basin. Under Alternative 2, the Plan proposes to integrate restoration projects with the recovery of ecosystem services (detailed in Appendix 5). Under this alternative, the restoration area includes Coeur d'Alene Lake and the Hangman Creek watershed on the Coeur d'Alene Reservation; as the tribe is interested in projects that would restore tribal services. Under Alternative 3, restoration projects would be implemented but ecosystem services projects would be excluded. In addition, the geographic extent of the restoration activity would be restricted to the Coeur d'Alene Lake area. Although Alternative 2 is the Trustees' Proposed Action, the Draft Restoration Plan/EIS does not identify a Preferred Alternative.

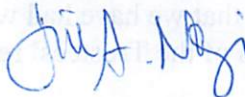
We believe that implementing the Restoration Plan will result in positive impacts to the environment. However, any construction activities (p. 300) during restoration may generate some adverse impacts to natural resources in the local restoration area. Therefore, there is a need for added precautions during construction in order to protect the aquatic resources. For example, the equipment operating in, and adjacent to, the aquatic habitats targeted for restoration could contribute to water quality degradation through increased turbidity and contaminant concentrations in water (p. 56), and could also disturb and block the movement of aquatic species (p. 79). Similarly, the removal of vegetation during restoration projects could result in the loss of bird nests and potential mortality. These kinds of impacts should be minimized and mitigated. In addition, there are some points of discussion which we believe could be added to the document, and some statements which we can help clarify, as discussed in the attached comments.

We appreciate that the DEIS includes responses to public comments, and that the identification of planning criteria, significant issues, and alternative actions addressed in the document incorporated public input. The DEIS also addresses many of the issues that we raised during the scoping period in August 2013, including the anticipated cumulative effects and climate change impacts of this work.

We also appreciate the Trustees' efforts to develop Appendix 5 as a guide for future individual restoration and ecosystem services projects. We expect that these smaller scale plans and projects to be implemented will each be subject to separate NEPA analysis and review, in order to ensure that any significant issues can be fully analyzed and mitigation measures identified prior to implementation. Again, we encourage the Trustees to closely coordinate the development of those plans and projects with our CERCLA program, in order to ensure that local environmental conditions will not be further degraded and that the activities implemented under the Restoration Plan will not interfere with any CERCLA cleanup activities.

Thank you for the opportunity to review this DEIS. If you have questions about our comments, please contact Theo Mbabaliye of my staff at 206-553-6322, or [mbabaliye.theogene@epa.gov](mailto:mbabaliye.theogene@epa.gov), or myself at 206-553-1841, or [nogi.jill@epa.gov](mailto:nogi.jill@epa.gov)

Sincerely,



Jill A. Nogi, Manager

Environmental Review and Sediment Management Unit

Enclosures

**U.S. Environmental Protection Agency Rating System for  
Draft Environmental Impact Statements  
Definitions and Follow-Up Action\***

**Environmental Impact of the Action**

**LO – Lack of Objections**

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC – Environmental Concerns**

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO – Environmental Objections**

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU – Environmentally Unsatisfactory**

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

**Adequacy of the Impact Statement**

**Category 1 – Adequate**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 – Insufficient Information**

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 – Inadequate**

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

**EPA Comments on the  
Draft Restoration Plan/EIS for the  
Coeur d'Alene Basin**

***Environmental Impact Statement - Summary***

Clear Definition of Restoration and Remediation The Summary section could consider including the CERCLA definitions and distinctions between “restoration” and “remediation” as it could be important to discuss why the distinction matters. The EPA notes that other parts of the DEIS establish and discuss the distinction between restoration and remediation, for example, Section 1.2 of the EIS and Section 1 of the Restoration Plan, and that language could also be provided in the Summary section.

Geographic Area and Key Implementation Components Figure In order to further enhance the Summary section, the EPA suggests that a figure showing the geographic area under consideration in the Proposed Action (Alternative 2) and key implementation strategy components (i.e., next steps, timing of restoration, integration with CERCLA cleanup, project solicitation process, etc.) could be added. Those components are currently discussed in Section 2.2.3 of the DEIS and Section 5 of Appendix 5, and we think they are important enough to be mentioned up front in the Summary section.

***Main Text of the Draft EIS***

Wetlands Priority Areas (page 15, 1<sup>st</sup> full paragraph) states that, “EPA’s priorities for cleanup in the Coeur d’Alene River floodplain are Harrison Slough, Killarney Lake, Canyon Marsh, Lane Marsh, Medicine lake, Cave Lake, Bare Marsh, Anderson Lake, Thompson Lake and Thompson Marsh (USEPA, 2002).” However, since the completion of the 2002 EPA Record of Decision (ROD), a great deal of additional information has been learned about the Lower Basin. The EPA is currently going through a strategic planning process for the Lower Basin and is nearing completion of the comprehensive sediment transport model. These efforts will help to determine both near and long term cleanup actions in the Lower Basin.

Wetland Tier 1 Priorities (page 15, 3<sup>rd</sup> paragraph) describes the process of integration of remediation and restoration within a wetlands environment. The Natural Resource Trustees could consider citing the Schlepp agriculture-to-wetlands project<sup>1</sup> as a successful example of one remediation/restoration process.

3.3.2.3 Alternative 1 – No Action, Direct and Indirect Effects (page 54 and 55): The DEIS states that under the No Action alternative there would be no short-term direct effects to rivers, streams, and lakes, and that long-term indirect effects may include a slower rate and less likelihood of recovery of the physical features that maintain stream channel and lakeshore function including no improvement in water quality. The EPA would like to also highlight that positive effects are occurring, and will continue to occur, through our CERCLA remediation efforts.

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<sup>1</sup> <http://www.nwd.usace.army.mil/Media/News-Stories/Article/475699/transforming-agricultural-lands-into-wetlands/>

## *Appendix 5 – Draft Coeur d'Alene Basin Restoration Plan*

Section 1.2 – Damage Assessment and Injury Determination (page 280, 1<sup>st</sup> paragraph): The first two sentences of this paragraph identify the Bunker Hill Site; however, the description of how the CERCLA designation expanded to include the Upper and Lower Basins could be clarified in order to be consistent with EPA decision documents.

4.3.3 Priority Areas (Lakes) (page 315, Table 4): While this section acknowledges uncertainty and the possibility of future reprioritization, it is not clear how the selection of specific Tier 2 Lakes will be integrated with the priority wetlands (listed in Table 1 on page 298), which in many cases occupy the same waterbodies. The EPA believes that additional details here, and/or in the future project specific documents, will be important to clarify how the Natural Resource Trustees will prioritize these areas.